



# U.S. DEPARTMENT of STATE

## Bahrain

### Country Reports on Human Rights Practices - [2003](#)

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Bahrain is a monarchy which, in 2002 adopted a constitution that reinstated a legislative body with one elected chamber. The Al-Khalifa extended family has ruled the country since the late 18th century and continues to dominate all facets of society and government. The King, Sheikh Hamad Bin Isa Al-Khalifa, governs the country with the assistance of his uncle, the Prime Minister; his son, the Crown Prince; and an appointed cabinet of ministers. The King chairs the Higher Judicial Council. Members of the Al-Khalifa family hold 9 out of 24 cabinet positions, including all "strategic ministries." The partially elected National Assembly consists of an elected Council of Representatives and an appointed Shura Council. However, the courts have ruled against the Government in the past. The National Action Charter provides that the King is the head of the executive, legislative, and judicial branches of government. The Constitution gives the elected Council of Representatives a role in considering legislation, but most legislative authority still resides with the King and he appoints members of the Shura (Consultative) Council. The courts are subject to government pressure and occasional accusations of corruption, and there have been very few instances of persons trying to bring cases against the Government. The Constitution provides for a nominally independent judiciary; however, the judiciary was not independent, and courts were subject to government pressure regarding verdicts, sentencing, and appeals.

The Ministry of Interior is responsible for public security. It controls the public security force (police) and the extensive security service, which are responsible for maintaining internal order. The Bahrain Defense Force (BDF) is responsible for defending against external threats. It also monitors the internal security situation. The Government maintained effective control over security forces. The security forces did not commit any serious human rights abuses during the year. Impunity remained a problem, and there were no known instances of security forces personnel being punished for abuses of authority committed during the year or in the past.

The country had a population of approximately 670,000, an estimated one-third of whom were noncitizens, primarily from Asia. It had a mixed economy, was a regional financial services center, and depended on tourism from Saudi Arabia. The Government estimated Gross Domestic Product (GDP) growth rate at 4.5 percent. Higher average oil prices and increased construction activity fueled by deficit government spending contributed to higher GDP growth during the year. Real wages have been falling for over 10 years.

Although several problems remained, the Government's respect for human rights improved in some areas during the year. Citizens did not have the right to change their government. The Government prohibits political parties, and none exist. Impunity of government officials remained a problem, as did the independence of the judiciary and discrimination against the Shi'a population, women and third country nationals. The press published credible allegations that some judges were corrupt. The Government continued to infringe to some extent on citizens' privacy rights. The Government restricted the freedoms of speech, the press, assembly, and association. Journalists routinely practiced self-censorship. The Government also imposed some limits on freedom of religion and freedom of movement. No government policies or laws explicitly addressed violence against women. Violence against women, and discrimination based on sex, religion, and ethnicity remained a problem. There was reported discrimination in the job market. Abuse of foreign workers occurred, including numerous instances of forced labor and some instances of trafficking.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

There were no reports of arbitrary or unlawful deprivation of life committed by the Government or its agents.

The Government committee to investigate the death of a demonstrator in 2002 released no findings at year's end.

#### b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment; however, there were some reports of police abuse of civilians during the year. Shari'a courts have no role in criminal cases and are restricted to family law.

In 2002, police abuse was reported at three demonstrations. In an April 2002 demonstration near a diplomatic mission, a rubber projectile fired by police struck and killed a citizen. There were no developments in this case during the year. Also in April 2002, police beat a human rights activist who came to the aid of another demonstrator. The investigation into this incident concluded that the police were not at fault. In May 2002, the Department of Military Intelligence (DMI) reportedly kidnapped citizen and beat him in retaliation for involvement in another demonstration. At year's end, there was no government investigation into this incident nor was any punishment exacted. (see Section 2.b.).

On September 13, on behalf of three ex-detainees, two attorneys filed a criminal complaint against an ex-senior intelligence official and a retired security intelligence officer, Colonel Adil Jassim Flaifel, accusing them of torturing detainees from 1981 to 1996. Colonel Flaifel denied all wrongdoing. The case continued at year's end. In 2002, lawyers for eight citizens made allegations against Flaifel for routinely engaging in torture and ill treatment of prisoners. According to Amnesty International (AI), the general prosecutor in the Legal Affairs Bureau did not acknowledge receipt of the complaint. He asserted that the general amnesty issued by the King in 2001 applied to government employees as well as regular citizens.

During the year, there were credible reports of prisoner beatings and mistreatment during three Jaw prison strikes. On August 5, a prisoner was allegedly beaten in front of his family. News of the mistreatment sparked a disturbance in Building 4 of Jaw prison involving 282 prisoners, who took over the whole building and staged a 14-day hunger strike. Press reports stated that the prisoners sought better living conditions, medical treatment, monitoring of human rights organizations, and a halt to beatings by prison guards. The Ministry of Interior negotiated the end of the strike with the promise of the establishment of a joint Ministry of Interior/parliamentary commission to investigate claims.

This strike marked the third strike at Jaw prison during the year. Earlier in the year, two prison strikes occurred on February 29 and March 5. AI reported that prisoner Yasser Makki died while in custody. Authorities reported that death was due to natural causes, caused by blood disease; however, there were allegations that he died in detention as a result of being denied access to medical treatment. Government officials and human rights activists stated that the prisoner mistreatment resulted more from poor police training and lax supervision rather than from a systematic, extrajudicial effort to punish suspects. There continued to be no known instances of officials being punished for human rights abuses committed either during the year or in any previous year.

The prisons generally met international standards. Women prisoners were housed separately from men, and juveniles were housed separately until the age of 15. Women prisoners lived in better hygienic conditions than men, and because most crimes committed by women were nonviolent, security measures for them are lighter. The last visit of the International Committee of the Red Cross (ICRC) to monitor prisons was in 2001, when the last of the country's political prisoners were freed. In May, the Ministry of Interior invoked two provisions of the Criminal Code, allowing model prisoners to qualify for a 25 percent reduction of sentence and to be released on early parole. The Ministry of Interior defined model prisoners as one who shows remorse for breaking the law, displays a positive attitude and does not commit crimes in prison.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions. In 2002, DMI officers allegedly detained and beat a citizen. At year's end, there were no reports of government investigations into these incidents (see Section 1.c.). During the year, there were press reports of incidents of police detaining suspects in their cars in the summer heat.

Since the 2001 abolition of the State Security Act, courts have refused police requests to detain suspects longer than 60 hours, and police have complied with court orders to release suspects. Judges may grant bail to a suspect. Attorneys must obtain a court order to visit detainees in jail.

The Ministry of Justice is responsible for public prosecutors, while the Ministry of Interior oversees police and all aspects of prison administration. Access to attorneys was restricted; in the early stages of detention, prisoners and their attorneys must seek a court order to be able to confer with clients. The state provides counsel if the defendant cannot afford to hire an attorney. Prisoners may receive visits from family members, usually once a month. Lengthy pre trial detention was uncommon, and prisoners must see a judge within 3 days of arrest.

In March, there was one major security-related arrest. Five detained individuals received the full protection of the country's Constitution. Charges were never filed against 3 detainees, who were released from custody in June after three months in jail. The other two faced trial on illegal weapons possession charges. Both were convicted and sentenced to jail terms, one in criminal court and one by military court martial.

In October, the 10th International Police Executive Symposium (IPES), offered training to 60 police on improving police-community communication.

According to the Interior Ministry, its Disciplinary Court convicted three police officers during the year for criminal activities of property theft and disobedience.

The Constitution prohibits forced exile, and there were no reports of new cases of forced exile during the year. All remaining political prisoners were freed and all exiles officially allowed to return in 2001. Although in 2002 more than 1,000 individuals still faced problems obtaining proper citizenship documentation, the Government managed to resolve these problems and issued the appropriate documents by the end of 2002. The Government also assisted in the return of some 300 individuals who had been forced into exile in the past decades.

In May, the Royal Court granted 34 citizens living in exile the right to return to the country. There were another 26 cases raised in the press, but the claimants were not born in the country and therefore were unqualified for citizenship.

In the past, the Government revoked the citizenship of persons whom it considered to be security threats. The Constitution prohibits stripping a person of nationality except in cases of treason, and other such cases as prescribed by the law.

#### e. Denial of Fair Public Trial

The Constitution provides for a nominally independent judiciary; however, the judiciary was not independent, and courts were subject to government pressure regarding verdicts, sentencing, and appeals. In past cases, the King, the Prime Minister, and other senior government officials lost civil cases brought against them by private citizens; however, the court-ordered judgments were not always implemented expeditiously. Members of the ruling Al-Khalifa family were well represented in the judiciary and generally did not recuse themselves from cases involving the interests of the Government. In September, the Civil Court heard a civil law suit brought against the Government by the family of a citizen, who died in 2002 during a violent demonstration in front of a foreign embassy.

The Constitution provides that the King appoints all judges by Royal Decree. Once appointed, judges are civil servants who may work for the Government until the mandatory age of retirement (age 60). The King also serves as chairman of the Supreme Judicial Council, the body responsible for supervising the work of the courts and the Public Prosecution office. The Constitution does not provide a legislative branch confirmation process for judicial appointees nor does it establish an impeachment process. The Constitution also provides for the establishment of a Constitutional Court to rule on the constitutionality of laws and statutes. The King appoints all judges of this special court by Royal Decree. They serve 9-year terms and cannot be removed before their terms expire. The King may present draft laws to this court before their implementation to determine the extent of their agreement with the Constitution, providing rudimentary judicial review. According to the Constitution, the Court's determination is "binding on all state authorities and on everyone."

The civil and criminal legal systems consisted of a complex mix of courts, based on diverse legal sources, including Sunni and Shi'a Shari'a (Islamic law), tribal law, and other civil codes and regulations.

The BDF maintains a separate court system for military personnel accused of offenses under the Military Code of Justice. The Ministry of Interior have a similar system for trying police officials. Neither court reviewed cases involving civilian, criminal, or security offenses.

Defendants may choose their own attorneys. If they are unable to afford a private attorney, defendants may ask the Justice Ministry to appoint an attorney to represent them in court. In the past, some attorneys and family members involved in politically sensitive criminal cases claimed that the Government interfered with court proceedings to influence the outcome or to prevent judgments from being carried out; however, there were no such reports during the year. There were allegations of corruption in the judicial system.

In February, a female citizen lost custody of her children in a Shari'a court. In April, she staged a hunger strike in front of the Ministry of Justice asking the courts to rehear her case. On appeal, the same judge reviewed her case. A group of women's rights activists, attorneys, and journalists criticized the decisions of Shari'a judges and published their views in the newspaper Akhbar Al Khaleej. Eleven Shari'a court judges brought slander charges against this group. The criminal prosecution of the case was ongoing at year's end.

The Women's Petition Committee is a group of women who have been affected negatively by Shari'a court decisions. They petitioned the King pressing for the intervention of the Supreme Judicial Council in matters of inspection, supervision, and reform of the religious judiciary. There was no response from the Chairman of the Higher Judicial Council by year's end.

Civil or criminal trial procedures provided for an open trial, the right to counsel (with legal aid available when necessary), and the right to appeal. Prior to the annulment of the State Security Act in February 2001, there was credible evidence that persons accused of anti-government crimes who were tried in the criminal courts were denied fair trials. Such trials were held in secret, and the defendants were not permitted to speak with an attorney until their appearance before the judge at the preliminary

hearing. The annulment of the State Security Act also abolished the State Security Court, which had tried security cases in secret.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for freedom from arbitrary interference with privacy, home, and correspondence except under the provisions of law and under judicial supervision; however, the Government continued to infringe on citizens' right to privacy. The Government continued to carry out some illegal searches. Telephone calls and personal correspondence remained subject to monitoring. A government-controlled proxy prohibited user access to Internet sites considered to be anti-government or anti-Islamic, but these restrictions were often circumvented (see Section 2.a.). Police informer networks were extensive and sophisticated.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for the right to express and publish opinions "under the rules and conditions laid down by law, provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord or sectarianism is not aroused." In practice, the Government limited this right, especially in the media.

Local press coverage and commentary on international issues was open, and discussion of local economic and commercial issues also was relatively unrestricted. However, representatives from the Information Ministry actively monitored and blocked local stories on sensitive matters, especially those fostering sectarianism or criticizing the royal family, the Saudi ruling family, and judges. On November 12, the new independent weekly newspaper "Al Ahad" issued its first edition.

The press covered controversial issues such as criticism of government policies, discussion of sectarian issues, unemployment, naturalization, government corruption, and housing more freely than before. However, criticism of the ruling family, and the Saudi ruling family and fostering sectarian divisions remained largely prohibited

The law provides for freedom of press and speech; however, the law, contains restrictions on these "rights." The law allows prison sentences for three general categories of offenses: criticizing the State's official religion, criticizing the King, and inciting actions that undermine state security. In addition, the law allows fines up to \$5,300 (BD 2,000) for 14 other offenses, including publishing statements issued by a foreign state or organization before obtaining the consent of the Minister of Information, any news reports which may adversely affect the value of the national currency, any offense against a head of state maintaining diplomatic relations with the country, or offensive remarks towards an accredited representative of a foreign country because of acts connected with his post. One week after its issuance, the Prime Minister declared the law "frozen," and ordered that the Cabinet review the law. Although "frozen", the law continued to be enforced at the Government's discretion. All newspapers ran articles and editorials criticizing the law.

During the year, an amendment to the 2002 Press Law was drafted and submitted to the Ministry of Information. When the amendment was brought to the National Assembly for ratification, only 14 of the 40 recommendations submitted to the Ministry of Information were included in the amendment. The omitted recommendations involved reducing the Government's power to intervene administratively to punish journalists, and to transfer punishment for transgression of the law to the judiciary. Journalists requested that the Government remove criminal penalties from the press law. The National Assembly took no action on the amendment.

Three separate court cases against the country's newspapers were brought by the Government under the "frozen law." A group of Shari'a court judges brought a criminal case against the Editor-in-Chief of an Arabic daily newspaper for reporting criticism of the Shari'a court lodged by women's rights activists (see Section 1.e.). 11 Shari'a court judges charged a group of six with libel and slander who now face criminal prosecution and prison sentences. No sentences were issued by year's end.

The case of one of the defendants, Editor in Chief Anwar Abdulrahman of newspaper "Akhbar Al Khaleej" is being handled separately from the other five. He won a verdict from the High Court of Appeal to suspend his trial and pass the case to the Constitutional Court, challenging the constitutionality of the press, judicial authority, and criminal procedures laws.

During the year, the Editor-in-Chief, Mansour Al Jamry, of the independent newspaper "Al-Wasat," was interrogated and sentenced to either one month in jail or a \$2,650 (BD 1,000) fine for allegedly publishing sensitive information on an ongoing investigation of a locally-based terrorist cell. His colleague was also fined \$2650 (BD 1,000). His case is on appeal. Al Jamry has appealed his case to the Constitutional Court citing discrepancies in the procedural enactment of the Press, Judicial Authority and Criminal Procedures laws.

On September 24, Editor-in-Chief Radhi Mouhsin Almousawi of "The Democrat" newsletter published by the National Democratic Action Society appeared before the court for an article he wrote about corruption in the tourism sector and

allegations against an unnamed tourism inspector. Almousawi has also appealed his case to the Constitutional Court citing discrepancies in the procedural enactment of the Press, Judicial Authority and Criminal Procedures laws.

There were reports that two journalists were suspended for 7 to 10 days in 2002; however, it was not clear if these punishments were handed out under the authority of the new press law. Other journalists were reportedly suspended during the year, and journalists have said that editors refused to publish pieces they wrote that criticized the Government or took positions the editor disapproved.

Individuals expressed critical opinions openly regarding some domestic political and social issues in private settings and occasionally on state-run television call-in shows and increasingly in organized public forums. Some did criticize leading government officials. Public demonstrations increased over foreign policy, unemployment, family status law, housing shortages, and human rights abuses. These were covered in the print media but not on government-owned television.

Under of the 2002 Publication Laws, the Ministry of Information seized in February copies of "Mohammed's Character," a book considered blasphemous for insulting the character of the Prophet Mohammed.

On November 4, the Ministry of Information confiscated a new book, "Bahrain: From an Emirate to a Kingdom," written by Ahmed Manisi and published by the Centre for Political and Strategic Studies in Egypt. The book was originally a master's thesis that criticizes the absence in the 2002 Constitution of balance between the legislative branch and the executive branch.

On October 19, the Ministry of Information confiscated all copies of issue 19 of Al Mushahid Al Siyasi magazine. The magazine was published by BBC in London. Issue 19's cover piece reported on the political naturalization issue.

The 2002 Election Law regulated candidates' political activities, prohibiting speeches at most public locations and limiting the areas where campaign materials could be placed. However, these regulations were only sporadically enforced.

The Information Ministry controlled local broadcast media and exercised considerable control over local print media, except Al-Wasat, even though newspapers were privately owned. The Government generally afforded foreign journalists access to the country and did not limit their contacts. However, the Government continued to ban correspondents from the Qatar-based Al-Jazeera satellite television channel, accusing the station of using sensationalized and one-sided coverage to project unfairly a negative image of the Government.

The Bahrain Journalists' Association, formed in 2000, had a significant majority of government employees from the Information Ministry and was not an independent organization protecting journalists' rights and interests.

The Government owned and operated all local radio and television stations. Radio and television broadcasts in Arabic and Farsi from neighboring countries and Egypt were received without interference. Al-Jazeera was available in the country via satellite.

On October 21, a foreign correspondent advised that the Ministry of Information threatened to expel the correspondent if he did not retract his draft article on political naturalization in the country. The correspondent reportedly withdrew the story. On December 18, another foreign correspondent was threatened with expulsion if he did not reveal his source for his story on a December 17 illegal political demonstration that turned violent when demonstrators attacked police who mobilized to keep the event under control. When he reportedly refused, the correspondent's regional bureau chief intervened with the Information Minister to keep the correspondent in the country.

The National Telephone Company (BATELCO) provided access to the Internet. E-mail use was unimpeded, although it was subject to monitoring (see Section 1.f.). More than one-third of the population used the Internet. There are 140,000 hotmail accounts in the country. Many districts of Manama have cyber cafes and there are 80 chat rooms visited by over 1,000 persons daily. It is estimated that 22 percent of the population owns personal computers.

Although there were no formal regulations limiting academic freedom, in practice academics avoided contentious political issues, and the university did not have a political science program. University hiring and admissions policies favored Sunnis and others who were assumed to support the Government, rather than focusing on professional experience and academic qualifications. However, there continued to be some improvement in the hiring of qualified individuals in a nondiscriminatory manner during the year. A few Shi'a professors, including women, were hired. Larger numbers of Shi'a students were accepted into the national university, but this was still a smaller proportion than in the general population.

In April, a university professor published an academic study on freedom of expression that showed that the Internet allowed the most freedom of expression because it is not generally subject to monitoring and censoring, although some expressed annoyance that some websites had been closed down or banned. Respondents indicated that television and radio stations only express views in agreement with the Government. The "Al-Ayam" article stated that, during the 2002 Council of Representative elections, the news media carried shows and hosted guests without allowing election boycotters to express their views. The study also suggested that respondents believe that local newspapers have improved, but the country did not yet have a truly free press because newspapers are still reluctant to publish views that do not correspond with the Government's policies.

## b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of free assembly; however, the Government restricted its exercise by requiring permits for public events, which were not routinely granted. The law prohibits unauthorized public gatherings of more than five persons. The Government periodically limited and controlled political gatherings.

Demonstrations occurred throughout the year, not all of which were approved by the Government. Unless violent, the Government generally did not intervene. During the year, there were seven violent incidents of political unrest. Numerous peaceful demonstrations protesting government policies also occurred, many organized by Al Wifaq, the country's largest political society. Since 2001, gatherings at social and political clubs for political discussions have been held regularly and without any obvious obstruction by the Government. The largest gathering was in January when over 10,000 attended Al Wifaq National Islamic Society's first annual conference.

In December 2002, approximately 1,000 youths spontaneously rioted in downtown Manama, attacking cars, hotels, and some pedestrians. These riots did not appear to be politically motivated. The press reported that 41 persons were arrested and damage was estimated at \$250,000 (BD 94,250).

On January 1, the King ordered that all detained rioters be released. Subsequently the courts fined all convicted rioters \$1,325 (BD 500). Some families could not afford to pay the \$1,325 (BD 500) fine so the court reduced the fine to \$530 (BD 200). Some fines were still being negotiated downward.

Beginning in February, regularly scheduled protests were held in front of the Ministry of Labor and Social Affairs and the Civil Services Bureau demanding higher salaries and a reduction of the unemployment rate. Protests were daily for a period of 2 weeks, followed by weekly protests that lasted 2 months. At the August 15 demonstration, police intervened and arrested seven protesters. The Ministry of Labor and Social Affairs issued a statement that ordered the arrests because it believed the protest had other purposes since the Ministry had publicized 4,500 vacancies and only 117 persons applied (see Section 6).

In March, on 4 occasions, as many as 2,500 demonstrators assembled outside a foreign embassy to protest Operation Iraqi Freedom. Protesters reportedly threw rocks at police and detonated seven improvised explosive devices near the chancery building. Two policemen were injured. Police used tear gas to disperse demonstrators and detained some protesters but released them soon after the event. No charges were pressed.

In September, a citizen was arrested for demonstrating peacefully in front of the Bahrain Development Bank building to protest the bank's decision to decline his request for a loan. He was released on \$265 (BD 100) bail and, as of year's end awaited a court date. He claimed that the loan reviewers purposely modified his business plan to make it less feasible.

On September 16, approximately 500 protesters representing the National Committee for the Victims of Torture peacefully walked to the site of the Arab Judicial Forum demanding prosecution of alleged government torturers; repeal of Law 56/2002, which granted amnesty to government employees accused of torture; the country's implementation of the International Convention against Torture; and compensation for torture victims. In May, thousands of citizen victims of alleged torture reportedly petitioned the King to cancel the law. According to Sayed Jaffar al-Alawi, head of the National Committee for Martyrs and Torture Victims, approximately 33,000 citizens signed the petition which included claims by at least 3,500 people that they were tortured while held in jail for political activity in the 1980s and 1990s. The Committee staged two additional demonstrations with more than 2,500 in attendance.

On October 11, scores of divorced women and their children attended the Women's Petition Committee's silent vigil outside Kanoo Mosque in Hamad Town. The women demanded the dissolution of the Supreme Judiciary Council and protested a Shari'a court decision to deny visitation rights to a mother in a divorce case. They accused the judge of having this decision based on the opinion of an academic.

The Political Rights Law promulgated in July 2002 had a negative effect on the freedoms of speech and association (see Section 2.a.). The law, which the King told political societies to ignore, is intended to regulate election campaigns and prohibits "election meetings" at worship centers, universities, schools, government buildings, and public institutions. After this law's promulgation, the occurrence of public meetings declined precipitously, and they received little coverage in the local press. One leader of a popular public forum reported that he had been told by a high-level government official to reduce the attendance at meetings and make them "less political."

The Constitution provides for the right of free association; however, the Government limited this right, by prohibiting some political parties from forming. The Government has authorized political societies to run candidates and support them financially and for several NGOs, including human rights organizations, to conduct political activities.

## c. Freedom of Religion

The Constitution provides for freedom of religion; however, there were some limits on this right. The Constitution declares that Islam is the official religion. Every religious group must obtain a permit from the Ministry of Justice and Islamic affairs in order to

operate. Depending on circumstances, a religious group may also need approvals from the Ministry of Labor and Social Affairs, the Ministry of Information, and/or the Ministry of Education (if the religious group wants to run a school).

Thirteen Christian congregations, which were registered with the Ministry of Labor and Social Affairs, operated freely and allowed other Christian congregations to use their facilities. There was a synagogue, four Sikh temples, and several official and unofficial Hindu temples, located in Manama and its suburbs. During October 9-10, the Orthodox community celebrated the consecration of the new and expanded St. Mary's Church which was built on land donated by members of other religions who practice their faith privately and did so without interference from the Government.

The Government funds, monitors, and subjects all official religious institutions to some controls. These include Shi'a and Sunni mosques, Shi'a ma'tams (religious community centers), Shi'a and Sunni waqfs (charitable foundations), and the religious courts, which represent both the Ja'afari (Shi'a) and Maliki (one of the four Sunni) schools of Islamic jurisprudence.

Holding a religious meeting without a permit is illegal. There were no reports of religious groups being denied a permit or of Government actions against groups meeting without a permit. In 2002, the press reported that a school emphasizing a Shi'a curriculum was established for the first time in the country.

The Government rarely interferes with what it considers legitimate religious observations. The Political Rights Law promulgated in July 2002 forbids election speeches in worship centers, but political sermons continued (see Section 2.a. and 2.b.). In the past, the Government actively had suppressed activity deemed overtly political in nature, occasionally closing mosques and ma'tams for allowing political demonstrations to take place on or near their premises and detaining religious leaders for delivering political sermons or for allowing such sermons to be delivered in their mosques. There were no reported closures of ma'tams or mosques during the year. The Government also may appropriate or withhold funding in order to reward or punish particular individuals or places of worship; however, there were no reports the Government withheld funding or closed religious facilities during the year.

Sunnis received preference for employment in sensitive government positions and in the managerial ranks of the civil service. Members of the royal family are Sunni. Public religious events, most notably the large annual Ashura marches by Shi'a, were permitted but were monitored closely by police. The Shi'a celebration of Ashura is a 2-day national holiday in the country, and the King ordered the Ministry of Information to provide full media coverage of Ashura events. There were no restrictions on the number of citizens permitted to make pilgrimages to Shi'a shrines and holy sites in Iran, Iraq, and Syria. The Government monitored travel to Iran and scrutinized carefully those who choose to pursue religious study there.

The Government discourages proselytizing by non-Muslims and prohibits anti-Islamic writings; however, bibles and other Christian publications were displayed and sold openly in local bookstores. Religious tracts of all branches of Islam, cassettes of sermons delivered by Muslim preachers from other countries, and publications of other religions readily were available.

One reported instance of societal violence against a minority religion's property occurred in 2002, when 70 graves at the St. Christopher's Church cemetery were desecrated. During the year, the Government paid to have fully restored the graveyard. According to the wishes of the Church, no monument was erected. No reports on the results of the investigations into this incident have been issued.

On December 3, unknown assailants vandalized the Sa'sa'a Mosque. Witnesses reported that four persons broke into the mosque and destroyed the ablution faucets and lights surrounding the mosque. The director of the government agency responsible for managing government-held Shi'a properties did not seek police assistance or an investigation; however, the mosque caretaker has closed the mosque at 4:30 p.m., denying Shi'a parishioners the ability to perform evening prayers.

The defense and internal security forces predominantly were Sunni, Shi'a citizens were allowed to hold posts in these forces; however, Shi'a did not hold positions of significance. In the private sector, Shi'a citizens tended to be employed in lower paid, less skilled jobs. In private conversations, Shi'a consistently complained of discrimination, especially in receiving public sector jobs and slots at the university. While Shi'a acknowledged that the situation was improving slowly, they still compose a disproportionately high percentage of the country's unemployed.

Educational, social, and municipal services in most Shi'a neighborhoods, particularly in villages, were inferior to those found in Sunni urban communities.

For a more detailed discussion, see the [2003 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2003/27925pf.htm).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution prohibits restrictions on freedom of movement, except as provided by law and judicial supervision. Banishment and prevention of return are prohibited. In May, the Royal Court granted 34 citizens living in exile the right to return to Bahrain. Bahraini passports were valid for travel to all countries.

Although the law does not include provisions for the granting of refugee status or asylum to persons who meet the definition in

the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, there were no reports of the forced return of persons to a country where they feared persecution.

Citizens were free to move within the country and change their place of residence or work. Although more than 1,000 individuals in the country faced problems obtaining proper citizenship documentation, the Government resolved these problems and issued the appropriate documents by the end of 2002. The Government also assisted in the return of some 300 individuals that had been forced into exile in the past decades. The Government occasionally grants citizenship to Sunni residents, most of whom are from Jordan, Syria, the Arabian Peninsula, and Egypt. This practice was controversial (see Section 1.b.). Opposition groups claimed that the naturalization process was politically driven to manipulate demographics for voting purposes and to avoid addressing the question of discrimination against Shi'a in sensitive government positions where employment is allegedly dominated by non-indigenous groups. The Government complied with a parliamentary committee's request for official naturalization data, but has not made it public. The Government stated that Saudis who recently received citizenship are the grandchildren who emigrated to Saudi Arabia. According to the country's Nationality Law, these persons have a legal right to citizenship.

The 1963 Citizenship Law provides that the Government may reject applications to obtain or renew passports for reasonable cause, but the applicant has the right to appeal such decisions before the High Civil Court. A noncitizen resident may obtain a travel document, usually valid for 2 years and renewable at the country's embassies overseas. The holder of a travel document also required a visa to reenter the country.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their Government or their political system; however, the Constitution does provide for a democratically elected Council of Representatives. Elections for the newly established Council of Representatives took place in 2002. The King appoints the Prime Minister, who then proposes Cabinet Ministers that are appointed by the King. Members of the ruling family held all security-related cabinet positions.

In 2002, the country held its first national elections in nearly three decades. The country also elected a Municipal Council, but at year's end its role was still being defined. The largest political society, joined by three other smaller societies, chose not to participate in these elections, citing grievances over the Constitution equalizing the powers of the elected and appointed councils. There were no government candidates. Informed observers reported that the election campaigning and voting was generally free and fair; however, some candidates were not allowed to visually observe ballot counting, and there was an incomplete reporting of election results. Slightly more than half of the eligible voters elected 40 members to the Council of Representatives. The 40 elected members of the Council of Representatives shared legislative powers with the King and with the 40 members of the Shura Council appointed by the King. Collectively, the two chambers are known as the National Assembly. On October 1, the International Parliamentary Union unanimously accepted the country as a member.

Either Council in the National Assembly may propose legislation, but the Cabinet's Office of Legal Affairs must draft the actual text of laws. The King may veto laws passed by the National Assembly, which may override a veto by a two-thirds majority vote. If the legislature overrides a veto, the King must promulgate the law within 1 month. The King may dissolve the Representative Council at his discretion and he retains the power to amend the Constitution and propose, ratify, and promulgate laws. Either council may question government ministers, and the Representative Council may pass by a two-thirds majority votes of no confidence that require the minister's resignation. The Council of Representatives may also introduce a resolution indicating it cannot cooperate with the Prime Minister. The entire National Assembly would then have to pass the resolution by a two-thirds majority that would require the King to either dismiss the Prime Minister or dissolve the Council of Representatives. In February, the Council of Representatives disapproved a government international bond sale, but eventually reversed its position after the Shura Council approved the sale. In May, the National Assembly reduced the defense budget and increased the Health Ministry's budget.

The Political Rights and Election Law restricts the freedoms of speech and association (see Sections 2.a. and 2.b.). The Government prohibits political parties, and none exist. The Government drew the electoral districts in both the municipal council and the legislative elections to protect Sunni interests by creating several districts with small populations likely to elect a Sunni candidate. In contrast, districts where a Shi'a candidate was likely to win were drawn to include large numbers of voters, a formula that diluted the voting strength of the Shi'a community. International observers commented that this gerrymandering generally violated the one-man one-vote principle common to most democracies.

No women were elected in either the municipal or legislative elections. Six women candidates ran in the 2002 elections for the Council of Representatives. Although no women won seats in the elected chamber, two women forced their competitors into run-offs in which each woman received more than 40 percent of the vote. Turnout for municipal councils elections was approximately 51 percent; just over 52 percent of the voters who turned out for those elections were women. Turnout for the October election was just over 53 percent, according to Government figures; the Government did not publish the number of women voters. Bahrain Transparency Society monitored the elections, in addition to a number of other local NGOs.

The King appointed six women to the Shura Council. There were no women in the Cabinet. A study published by the Bahrain Centre for Human Rights (BCHR) stated that only 37 out of 532 high-level governmental positions were held by women. There was one woman of ministerial rank, three women at the sub-ministerial level, one Ambassador, and 32 women out of 281 at the director level of government.



The majority of women who chose to work in the Government did so in lower positions, and only a few attained senior positions within their respective ministries or agencies.

The majority of citizens belong to the Shi'a and Sunni sects of Islam, with the Shi'a constituting approximately two-thirds of the indigenous population. However, Sunnis predominate politically and economically because the ruling family is Sunni and is supported by the armed forces, the security services, and influential Sunni and Shi'a merchant families who benefit from a relatively open economy under the Al-Khalifas.

The King appointed a Christian and a Jewish member to the Shura Council. Twenty-one Shura Council members were Shi'a Muslims and seventeen were Sunni. Approximately one-third of the cabinet ministers were Shi'a.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Restrictions on freedom of association and expression sometimes hindered investigation or public criticism of the Government's human rights policies. There are 380 NGOs registered in Bahrain. By year's end, 58 of the 380 reportedly were new registrants. Some NGOs dealt with concerns of expatriates, charitable activities and women's issues. During the year, Bahrain Human Rights Society (BHRS) published its first human rights report. The report recommends amending the Constitution to widen people's freedom and rights to conform with international standards; to ratify all U.N. human rights conventions and International Labor Organization (ILO) migrant labor conventions; to introduce human rights curricula to all school levels; to compensate and to rehabilitate the victims of torture and to allow them to prosecute their alleged torturers; and to amend the labor law to include household workers.

Members of these groups met with government officials and the Government has responded on some issues, most notably on trafficking in persons and prison conditions (see Sections 5).

The week following a human rights forum on government discrimination, the BCHR received three faxes from the Ministry of Labor and Social Affairs (MOLSA) warning BCHR against holding similar forums in the future or have its NGO license revoked. In December, BCHR alleged that the MOLSA insisted on observing the election of its new board, which is contrary to NGO regulations. BCHR acceded to MOLSA's request.

Most, if not all, of the members of the Damascus-based Committee for the Defense of Human Rights in Bahrain and the Copenhagen-based Bahrain Human Rights Organization have returned to the country since the 2001 referendum on the National Action Charter. The London-based Bahrain Freedom Movement and the Beirut-based Islamic Front for the Liberation of Bahrain remained active outside the country, but Bahrain Freedom Movement leader Dr. Mansour Al Jamry returned to the country in 2001 and established the independent newspaper Al-Wasat in 2002 (see Section 2.a.). Previously, the Bahrain Freedom Movement leader Dr. Majid Al-Alawi returned in 2001 to become Assistant Secretary General for the Bahrain Center for Studies and Research, the country's only think tank. In 2002, Dr. Al-Alawi was named Minister of Labor and Social Affairs.

In recent years, the Government has allowed increasing access to international human rights organizations. During the year, there were no reports of Government harassment of these groups or their members. The U.N. High Commissioner for Human Rights visited the country in 2002. In October, the country hosted a regional human rights training program co-sponsored by the U. N. Commission for Human Rights, the Arab Institute for Human Rights and the BHRS on "Management, Strategic Planning and Fundraising in NGOs."

#### Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for equality, equal opportunity, and the right to medical care, welfare, education, property, capital, and work for all citizens; however, in practice these rights were protected unevenly, depending on the individual's social status, ethnicity, or sex.

On October 16, BCHR held a human rights forum on government discrimination against Shi'a and women. A BCHR study published during the year showed that only 18 percent of government positions were held by Shi'a. The study also highlighted the Al-Khalifa ruling family's dominance of key ministerial positions.

##### Women

Spousal abuse was common, particularly in poorer communities. In general, there was little public attention to, or discussion of, the problem. Incidents usually were kept within the family. No government policies or laws explicitly addressed violence against women. During the year, a few articles appeared in the local press discussing violence against women and the need for laws to defend women who are abused. There were very few known instances of women seeking legal redress for violence. Anecdotal evidence suggested that the courts were not receptive to such cases. Rape is illegal; however, because marital relations are governed by Shari'a law, spousal rape was not a legal concept within the law.

It was not uncommon for foreign women working as domestic workers to be beaten or sexually abused (see Sections 6.c. and

6.e.). Numerous cases were reported to local embassies, the press, and the police. However, most victims were too intimidated to sue their employers. Courts reportedly allowed victims who do appear to sue for damages, return home, or both.

Although prostitution is illegal, some foreign women, including some who worked as hotel and restaurant staff, engaged in prostitution (see Section 6.f.). In September, the National Democratic Action Society alleged that the Ministry of Tourism inspectorate division was corrupt and has allowed a flourishing trade of trafficking in persons and prostitution. The Government refuted the charge, but the author of the article has been charged with defamation of character under the "frozen" press law (see Section 2.a.).

Female genital mutilation (FGM) is not practiced in the country. There is no specific law that prohibits FGM.

Shari'a governs the legal rights of women. Specific rights vary according to Shi'a or Sunni interpretations of Islamic law, as determined by the individual's faith, or by the court in which various contracts, including marriage, are made. Some women complained that Shari'a courts were biased against women, especially in divorce cases. Since 2002, complaints have been filed with the Minister of Justice and Islamic Affairs against several Shari'a judges, arguing that women were often treated unfairly in these courts. They also called for the issuance of a long-promised Personal Status Law that should more clearly define women's rights.

In April, the Women's Petition Committee collected 1,700 signatures on a petition demanding legislative and judicial reform of courts, specifically of the Shari'a Court, and the strengthening of the role of the Supreme Judicial Council in monitoring the Shari'a courts. This was the first petition of its kind submitted to the King (see Section 3). The petition stemmed from alleged unfairness of routine interpretations by Shari'a courts (see Section 1.e.). The petitioners sought a Personal Status Law to clearly define women's rights.

In May, the Ministry of Justice announced that a draft Personal Status Law existed. There was heated public debate over whether this law would affect the jurisdiction of the Shari'a courts. This law was opposed by 200 leading religious scholars who signed a petition warning against discussion of the law in the National Assembly for fear of creating a dangerous precedent. The petitioners argued that only religious scholars have the education to determine personal status under the Shari'a. At year's end, this law or a revision of this law had not been submitted to the National Assembly.

Shi'a and Sunni women have the right to initiate a divorce; however, religious courts may refuse the request. Although local religious courts may grant a divorce to Shi'a women in routine cases, occasionally Shi'a women seeking divorce under unusual circumstances must travel abroad to seek a higher ranking opinion than that available in the country. Women of either branch may own and inherit property and may represent themselves in all public and legal matters. In the absence of a direct male heir, Shi'a women may inherit all property. In contrast, in the absence of a direct male heir, Sunni women inherit only a portion as governed by Shari'a; the balance is divided among the brothers or male relatives of the deceased. In practice, better-educated families used wills and other legal maneuvers to ameliorate the negative impact of these rules.

In divorce cases, the courts routinely grant Shi'a and Sunni women custody of daughters under the age of 9 and sons under the age of 7, although custody usually reverts to the father once the children reach those ages. Regardless of custody decisions, in all circumstances, except for mental incapacitation, the father retains the right to make certain legal decisions for his children, such as guardianship of any property belonging to the child, until the child reaches legal age. A noncitizen woman automatically loses custody of her children if she divorces their citizen father. A Muslim woman legally may marry a non-Muslim man if the man converts to Islam. In such marriages, the children automatically are considered to be Muslim. Women may obtain passports and leave the country without the permission of the male head of the household.

In December, the Bahrain Women's Society established a hotline to respond to calls about domestic abuse cases. It is the first of its kind in Bahrain to offer assistance to children and adults who are suffering sexual or physical abuse.

The Government has publicly encouraged women to work and was a leading employer of women, who constituted a significant percentage of the government workforce and included university professors, public school teachers, and employees in the public health and social sectors. In 2002, NGOs working on women's issues were very active in encouraging women to vote and to run for office during the municipal council and parliamentary elections. Several of these NGOs were also active on social issues such as health and education, and provision of assistance to women and children, particularly the poor.

Women constituted 23 percent of the workforce. Labor laws do not discriminate against women; however, in practice there was discrimination in the workplace, including inequality of wages and denial of opportunity for advancement. Sexual harassment is prohibited; however, it was a widespread problem for women, especially foreigners working as domestics and other low-level service jobs. The Government encouraged the hiring of women and enacted special laws to promote their entry into the work force. Laws do not recognize the concept of equal pay for equal work, and women frequently were paid less than men.

The number of women holding commercial registrations has increased 41.7 percent since 2001. According to the Ministry of Commerce, commercial registration for women reached 35,802.

The president of the University of Bahrain is a woman. Women compose 70 percent of the students at the country's universities, although some women complained that admissions policies at the University of Bahrain discriminated against qualified female

applicants, especially Shi'a women. In June, Canada's McGill University in cooperation with the members of the country's banking and finance community announced plans to open a Royal University for Women for up to 3,000 students.

Large numbers of women's organizations seek to improve the status of women under both civil and Islamic law. However, the influence of religious traditionalists have hampered women's constitutional rights despite their participation in the work force.

On April 7, the Ministry of Interior lifted its ban on wearing headscarves (Hijab) for policewomen. In June, the General Directorate of Traffic trained 20 women to be the first female driving instructors in the country. On July 8, by Royal Decree, the King allowed women to drive while veiled. On November 22, the first group of 10 women successfully completed training to be taxi drivers.

#### Children

The Government has stated often its commitment to the protection of children's rights and welfare within the social and religious framework of society. It generally honored this commitment through enforcement of civil and criminal laws and an extensive social welfare network. Public education for citizen children below the age of 15 was free. While the Constitution provides for compulsory education at the primary levels (usually up to 12 or 13 years of age), the authorities did not enforce attendance. Limited medical services for infants and preadolescents were provided free of charge.

Tradition and religion shape the social status of children by civil law. Child abuse was rare, as was public discussion of it; the preference of the authorities is to leave such matters within the purview of the family or religious groups. In 2002, a 13-year-old girl who was reportedly abused by members of her family and she then disappeared. According to local media, the case received attention at the highest levels of the Government, but despite the Prime Minister's public charge to the police to find her, she remained missing. The authorities actively enforced the laws against prostitution, including child prostitution, procuring, and pimping. Violators were dealt with harshly and may be imprisoned or, if a noncitizen, deported. In the past, the authorities reportedly returned children arrested for prostitution and other nonpolitical crimes to their families, rather than prosecute them, especially for first offenses. There were no reports of child prostitution during the year.

Independent and quasi-governmental organizations, such as the Bahraini Society for the Protection of Children and the Mother and Child Welfare Society, played an active part in protecting children by providing counseling, legal assistance, advice, and, in some cases, shelter and financial support to distressed children and families. The Child Care Home, funded from both government and private sources, provided shelter for children whose parents were unable to care for them.

There were very few reports of arrests and detentions of juveniles during the year, and those who were arrested reportedly were released soon thereafter. In May, the Bahrain Center for Human Rights held a conference on the rights of children.

On October 18, the National Bank of Bahrain's Home for Disabled Children in conjunction with the Directorate of Social Affairs and Rehabilitation started training 27 children in crafts and skills and then provided them start-up capital to start businesses at home.

On October 23, the Bahrain Friendship Society for the Blind opened the Centre for Handicapped Blind Children in Isa Town. The Center is equipped with basic facilities to help rehabilitate and develop blind children's skills. The Center is able to accept 10 students.

#### Persons with Disabilities

The law protects the rights of persons with disabilities and a variety of governmental, quasi-governmental, and religious institutions are mandated to support and protect persons with disabilities. A regional Center for the Treatment of the Blind was headquartered in the country, and a similar Center for the Education of Deaf Children was established in 1994. Society tended to view persons with disabilities as special cases in need of protection rather than as fully functioning members of society. Nonetheless, the Government is required by law to provide vocational training for persons with disabilities who wish to work, and maintains a list of certified, trained persons with disabilities. The Directorate of Social Welfare and Rehabilitation announced that 490 students with disabilities will start vocational training at centers for persons with disabilities, an increase of 100 students over last year.

The Labor Law of 1976 also requires that any employer of more than 100 persons must hire at least 2 percent of its employees from the Government's list of workers with disabilities; however, the Government does not monitor compliance. The Ministry of Labor and Social Affairs placed persons with disabilities in public sector jobs, such as the public telephone exchanges. The Government's housing regulations require that access be provided to persons with disabilities. Enforcement is random. Greater emphasis has been given in recent years to public building design that incorporates access for persons with disabilities; however, the law does not mandate access to buildings for persons with disabilities.

#### National/Racial/Ethnic Minorities

In May, the Royal Court granted 34 citizens living in exile the right to return to the country (see Sections 1.d and 2.d.). In 2001,

most bidoon, a group of approximately 9,000 to 15,000 formerly stateless persons, mostly Shi'a of Persian-origin but including some Christians, were granted citizenship. In 2002, the Government granted citizenship to the approximately 1,300 remaining bidoon (see Sections 1.d. and 2.d.). Approximately 1,000 were already living in the country. The Government paid for the return of some 300 others outside the country in 2002 who were exiled forcibly in the 1980s. Without citizenship, bidoon legally had been prohibited from buying land, starting a business, or obtaining government loans. Bidoon and citizens who speak Farsi rather than Arabic as their first language faced significant social and economic discrimination, including difficulty in finding employment.

## Section 6 Worker Rights

### a. The Right of Association

In 2002, the King promulgated a new law on labor unions that grants workers for the first time the right to form and join unions. The law also grants non citizens the right to join unions. There were 37 trade unions in the country. In June, the King confirmed the right to form unions at government ministries. Since then, four public unions have been established. This and other legislation also improved the legal status of foreign workers. The establishment of a union for public school teachers was expected by the end of the year.

The Labor Union Law established a union federation, the General Federation of Bahraini Workers (GFBW) which provides that all unions be members of the GFBW. The law does not restrict who may be a union official, other than to stipulate that a member of a company's management may not be a union member. The law also states that no more than one union per establishment may be created and prohibits unions from engaging in political activities. As of September, only one federation of trade unions existed in the country, despite criticism from the ILO.

In September, over 150 individuals participated in a labor unions workshop organized by the GFBW. The goal of the workshop was to familiarize participants with the international labor rights of all individuals.

The law allows union membership for private sector, civil service, and maritime workers; however, soldiers (or members of the military) are prohibited from joining workers in the civil service, and maritime workers.

During the year, the "union of the unemployed" organized several protests demanding higher salaries and a reduction of the unemployment rate (see Section 1.b.).

The law does not address anti-union discrimination, and no reports of such behavior were reported. Nothing in the law prohibits unions from access to the legal system. The law encourages unions to participate in international labor forums and events; however, none has yet joined an internationally affiliated trade union organization. No internationally affiliated trade union exists in the country.

### b. The Right to Organize and Bargain Collectively

The law grants workers the right to organize and bargain collectively. Unions can be formed at establishments of any size. Employers and the Government are required to treat unions as independent juristic entities.

The law states that "the right to strike is a legitimate means for workers to defend their rights and interests;" however, the law also places some restrictions on this right. The law requires arbitration before a vote to strike and that three-quarters of a union's members approve the strike in a secret ballot. It is not yet clear if the arbitration is binding.

Although government sources say the arbitration provision will not preempt the right to strike, the text of the law does not clearly specify that a union may proceed to a strike vote if it disagrees with the arbitrator's decision. Officials from the Government, labor, and business have examined this ambiguity but are not interested in changing it.

There were approximately 1,720 licensed taxi drivers in the country. Although they did not form a union and operated as the Public Transportation Drivers Society, the taxi drivers went on strike in August to protest the lack of regulation of nonregistered taxi drivers by the General Directorate of Traffic. The society called off its second strike scheduled for September when the Crown Prince's court intervened and promised to work with the General Director of Traffic to find a solution.

### c. Prohibition of Forced or Bonded Labor

Forced or bonded labor is prohibited by law; however, in practice, the labor laws applied for the most part only to citizens, and abuses occurred, particularly in the cases of domestic servants and those working illegally. The law also prohibits forced and compulsory child labor, and the Government enforced this prohibition effectively.

Foreign workers, who make up approximately two-thirds of the workforce, in many cases arrived in the country under the sponsorship of an employer and then switched jobs while continuing to pay a fee to their original sponsor. This practice made it

difficult to monitor and control the employment conditions of domestic and other workers. The Government issued new regulations granting foreigners more freedom to change jobs, but the process is legally cumbersome and many foreign workers remain unaware of their rights and obligations under the law. After 1 year in a position, a foreign worker is allowed to break this contract and look for other work. Prospective employees must present the new employer with a release letter from the previous employer. After 2 years in a position, expatriate employees may change jobs locally without the approval of the original sponsor and within the duration of their contract period, provided the original employer was notified in writing three months in advance. Many foreigners have been unable to obtain release letters to get a new job.

Unskilled foreign workers can become indentured servants and often lacked the knowledge to exercise their legal right to change employment.

There were numerous credible reports that employers withheld salaries from their foreign workers for months, even years, at a time, and refused to grant them the necessary permission to leave the country. The Government and the courts generally worked to rectify abuses if they were brought to their attention, but they otherwise focused little attention on the problem, and the fear of deportation or employer retaliation prevented many foreign workers from making complaints to the authorities (see Section 6.e.).

Some of the most highly publicized cases during the year involved construction workers. In February, fearing deportation, 32 Filipino construction workers, who worked for 11 months or more without proper employment papers and government identity cards, appealed to the Philippine Embassy. On March 19, a warrant for the arrest of the captain for the country's national basketball team was issued after he lost a case brought by eight of his foreign workers for nonpayment of services of 10 months. The court ordered the player to pay the salaries and provide the workers with airline tickets back to India. There have been reports of sponsors using off-duty policemen to pick up foreign employees and deport them as a way to avoid paying indemnity leave or salary.

The Government worked to decrease instances of abuse by passing a law assessing a \$1,300-2,650 (BD 500 – BD 1,000) fine for employers found guilty of forced labor. Claims of runaway workers in Bahrain have dropped dramatically since May. The new rules require sponsors to pay a \$600 (BD 250) deposit per employee for each report of a runaway.

Labor laws do not apply to domestic servants. There were numerous credible reports that domestic servants, especially women, were forced to work 12- or 16-hour days, given little time off, malnourished, and subjected to verbal and physical abuse, including sexual molestation and rape. Between 30 and 40 percent of the attempted suicide cases handled by the Government's psychiatric hospitals were foreign maids (see Section 6.e.).

It is estimated that there were 40,000 foreign housemaids working in the country who are predominantly of Sri Lankan, Indonesian, Indian, and Filipino origins. During the year there were 19 incidents of seriously abused housemaids reported in the press and another 50 cases that have been reported directly to the Philippine Embassy. In August, the Philippine, Indian, and Bangladeshi embassies proposed a four-point agenda to ensure the protection of housemaids. The agenda included creating a separate labor law for housemaids, formulating a standard contract guiding the hiring of housemaids, setting a standard minimum wage, and abolishing the practice of employers retaining the housemaids' passports. This agenda has not yet been introduced to the National Assembly.

Housemaids that have no embassy representation in the country (Indonesian and Sri Lankan) are often subject to the worst types of physical and sexual abuse. With no diplomatic mission to turn to and no established victim assistance shelter, runaway housemaids have often been returned by untrained police to abusing employers.

Since February, the Philippine Embassy has requested that all Filipinos register with the embassy so it can track "undocumented" workers. Registration with the Philippine Embassy allows them certain benefits, including scholarships for vocational courses and medical insurance.

On March 11, an Indonesian housemaid fell and died from her injuries as she tried to escape from her Arab sponsor's house by lowering herself from the third floor balcony. On April 23, an Indian maid killed herself by setting herself on fire in the kitchen of her employer. On October 1, another Indonesian maid fell and broke her back as she tried to escape from her employer's home. In October, an Indian housemaid had her head bashed through a wall by the employer's wife. She was treated at the Salmaniya Medical Complex for a head wound and multiple bruising.

There were persistent reports that some foreign women working as hotel and restaurant staff were locked in a communal house or apartment when not working and driven to work in a van. Many reportedly traded sexual favors with hotel managers in exchange for time off from work (see Section 6.f.). In September, allegations of corrupt Ministry of Tourism inspectors the press reported. The inspectors' job ensures hotels' compliance with tourism and labor laws. At year's end, an investigation into the problem remained pending.

#### d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment is 14 years of age. Juveniles between the ages of 14 and 16 may not be employed in hazardous conditions or at night, and may not work more than 6 hours per day or on a piecework basis. Child labor laws were

enforced effectively by Ministry of Labor inspectors in the industrial sector; child labor outside that sector was monitored less effectively, but it was not believed to be significant outside family-operated businesses, and even in such businesses it was not widespread.

The law prohibits forced and bonded child labor, and the Government enforced this prohibition effectively (see Section 6.c.).

#### e. Acceptable Conditions of Work

The country does not have an official minimum wage; however, the Government issued guidelines in 2002 that the public and private sectors should pay workers no less than \$398 (BD 150) per month, and the Government observed this standard in paying its employees. Compliance with these guidelines was not actively monitored, and few unskilled foreign laborers earned as much as the guidelines suggested. For foreign workers, employers considered benefits such as annual trips home, housing, and education bonuses as part of the salary. However, these guidelines did not provide a decent standard of living for a worker and family.

The Labor Law, enforced by the Ministry of Labor and Social Affairs, mandates acceptable conditions of work for all adult workers, including adequate standards regarding hours of work (maximum 48 hours per week) and occupational safety and health. Under the Labor Law, workers have the right to remove themselves from dangerous work situations without jeopardy to their continued employment.

In June, the Ministry of Labor and Social Affairs established a hotline to take calls to respond to complaints about working conditions, delay in salary payments, and other related issues. A separate hotline was established to receive information about illegal workers. Due to limited training for staff, it was reported that sometimes calls go unanswered.

The Ministry enforced the law with periodic inspections and routine fines for violators. In February, the first group of 11 new labor inspectors graduated from training. In May, the Ministry of Labor and Social Affairs increased the number of inspectors to 40. These trained inspectors will also visit labor barracks to ensure that workers' accommodations meet the necessary safety and hygiene standards. The inspectors are only authorized to inspect premises that have a commercial registration.

In March, 50 Asian workers filed complaints at the Ministry of Labor and Social Affairs after falling victim to fraud by a local company. Offices in India arranged for employees to buy their visas for up to \$2,120 (BD 800). After one month, they were told to leave the country or face detention by the General Directorate for Immigration and Passports. Some of these cases have been brought to court.

The press often performed an ombudsman function on labor problems, reporting job disputes and the results of labor cases brought before the courts. The BCHR has also volunteered to assist the Ministry of Labor and Social Affairs with inspections and monitoring. Once a worker lodges a complaint, the Ministry of Labor and Social Affairs opens an investigation and often takes remedial action. The Fourth High Court consists of three labor courts and has jurisdiction over cases involving alleged violations of the Labor Law. Complaints brought before the Ministry of Labor and Social Affairs that cannot be settled through arbitration must be referred to the Court within 15 days. In practice, most employers preferred to settle such disputes through arbitration, particularly since the court and labor law generally are considered to favor the employee.

Under the Labor Law, workers have the right to remove themselves from dangerous work situations without jeopardy to their continued employment.

The Labor Law specifically favors citizens over foreign workers and Arab foreigners over other foreign workers in hiring and firing. Because employers included housing and other allowances in their salary scales, foreign workers legally may be paid lower regular wages than their citizen counterparts, although they sometimes received the same or a greater total compensation package because of home leave and holiday allowances. Some foreign workers and citizen workers were paid comparable wages, with total compensation packages often significantly greater for the former. Women in most jobs were entitled to 60 days of paid maternity leave and nursing periods during the day. However, women generally were paid less than men.

The law provides that fines and jail sentences would be imposed upon private sector employers who failed to pay wages required by law. This law applied equally to employers of citizens and foreign workers and was intended to reduce abuses against foreign workers, who at times were denied the required salaries (see Section 6.c.). The law provides equal protection to citizen and foreign workers; however, all foreign workers require sponsorship by citizens or locally based institutions and companies. According to representatives of several embassies with large numbers of workers in the country, the Government was generally responsive to embassy requests to investigate foreign worker complaints regarding unpaid wages and mistreatment. However, foreign workers, particularly those from developing countries, often were unwilling to report abuses for fear of losing residence rights and having to return to their countries of origin.

Legislation introduced in 2002 allowed all workers except domestics to change jobs without obtaining a "No Objection" letter from their employers. However, the process for utilizing these new rules was not well understood among expatriate workers. They were also often unwilling to challenge their employers for fear of being punished or deported. In addition, domestic workers were exempted from this legislation, and many of them remained in essence indentured workers, unable to change employment or leave the country without their sponsors' consent (see Section 6.c.).

Foreign women who worked as domestic workers often were beaten or sexually abused (see Section 5). Between 30 and 40 percent of attempted suicide cases handled by the Government's psychiatric hospitals were foreign maids (see Section 6.c.). Unverified reports suggested that unskilled foreign laborers were also at risk of suicide.

#### f. Trafficking in Persons

The law does not specifically prohibit trafficking in persons, and there were reports that some foreign workers were recruited for employment on the basis of fraudulent contracts and then forced to work under conditions different from what was promised. Workers from Southeast Asia, South Asia, Ethiopia, and the former Soviet Union and Eastern Bloc reported being forced into conditions that amounted to trafficking. Some of these victims reported being sexually exploited or being forced to work as prostitutes; however, the most common forms of trafficking in persons involved unskilled construction laborers and domestic workers. Victims of this form of trafficking experienced withholding of passports by employers, alteration of contracts without their consent, nonpayment of salaries, or being forced to work extremely long hours.

Although prostitution is illegal, some foreign women, including some who worked as hotel and restaurant staff, engaged voluntarily in prostitution. There were also reports that some women were forced into prostitution. When the Government discovered this kind of abuse, it generally responded by prosecuting the offender, often the victim's sponsor or employer. There were persistent reports that some women working in hotels and restaurants were locked in a communal house or apartment when not working and driven to work in a van (see Section 6.c.).

The Government has begun to take steps to combat trafficking. In 2002, it recognized that trafficking is a problem and created an inter-ministerial "National Task Force" committee to formulate a comprehensive plan to combat trafficking. The committee published pamphlets on expatriate workers' rights in Thai, Singhalese, Urdu, and Tagalog, provided manuals on these rights to local diplomatic missions and installed a telephone hotline for victims. The 2003 Trafficking-in-Persons report gave the country Tier Two status. Victims of trafficking may seek assistance from their embassies, although the Government did not provide direct assistance to victims.

In January, the Government sought out the cooperation of source countries in combating trafficking.

In February, the Ministry of Information imposed a 3-month ban on live entertainment on 22 hotels found to have broken new rules intended to clean up the industry. The violations included foreigners working in hotels without contracts, not working for the sponsor(s) who obtained their visas, and hotel management allowing prostitution on their premises. To help combat trafficking, the Ministry increased the number of labor inspectors and granted them the authority to inspect foreign labor camps (see Section 6.e.).

In December, the Parliament ratified the U.N. Convention against Transnational Organized Crime and two protocols to prevent, suppress and punish trafficking in persons, especially women and children and smuggling of migrants by land, sea and air.